IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1045 OF 2005

Sangita Vinayak Jadhav & Anr ...Petitioner

Versus

The State of Maharashtra ...Respondent

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Mr. P.U. Hardas h/f Mr. P.N. Joshi advocate for petitioners.

Mr. D.P. Adsule, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 6TH JUNE, 2005

P. C.:-

1. Heard both sides.

2. The petitioners are seeking quashing of Criminal Case bearing No.100 of 2003, filed under Sections 498-A, 323, 504, and 506 r.w. 34 of I.P.C., at the instance of the petitioner No.1 who is the wife of the petitioner No.2. The said complaint is pending before the learned Judicial Magistrate F.C., Nashik Road, Nashik.

3. It is stated on behalf of the petitioner No.2 as well as the complainant that they have amicably settled the dispute among themselves and now the

petitioner No.1 i.e. the complainant is residing happily with the petitioner No.2 i.e. with her husband and in laws. Hence, the petitioners have prayed that the proceeding in this case may be quashed.

4. In view of the fact that the parties have settled their dispute amicably and are now residing together happily, in my view, no purpose would be served by continuing with the proceeding, specially as the complainant-wife does not wish to pursue the matter in further. Hence, in view of the decision of the Apex Court in the case of **B.S. Joshi and others Vs. State of Haryana and another reported in 2003 Cri. L.J. 2028**, the proceedings relating to C.C. No.100 of 2003 pending before the learned Judicial Magistrate, First Class Nashik Road, Nashik are hereby quashed and set aside.

5. Writ Petition is disposed of in the above terms.

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